

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)					Intelligence Personnel Protection Legislation				
FROM: Charles A. Briggs Director, Office of Legislative Liaison				EXTENSION		NO. OLL 84-3605/1		STAT	
						DATE 24 SEP 1984			
TO: (Officer designation, room number, and building)			DATE		OFFICER'S INITIALS		COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)		
			RECEIVED	FORWARDED					
1. ER			24 SEP 1984		P		Attached is a letter in support of H.R. 6272, a bill to extend the protection of federal criminal law to Intelligence Community personnel and probation pretrial services employees. We have consistently supported enactment of similar legislation and this letter will enhance the chances for passage of H.R. 6272 during the final days of this Congress.		
2.									
3. EXDIR									
4.									
5. DDCI			24 SEP 1984		J		Your immediate attention is requested. This letter has been coordinated by telephone with [redacted] of the Office of General Counsel.		
6.									
7. DCI			24 SEP 1984		[initials]		STAT		
8.							STAT		
9. D/OLL			25 SEP 1984		[initials]		Charles A. Briggs		
10.									
11.									
12.									
13.									
14.									
15.									

Central Intelligence Agency

Subject



Washington, D.C. 20505

OLL 84-3605  
19 September 1984

Mr. James M. Frey  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20503

*James*  
Dear Mr. Frey:

Enclosed is a proposed letter to Chairman Rodino in support of H.R. 6212, a bill to extend the protection of federal criminal law to Intelligence Community personnel and probation pretrial services employees. Your advice is requested whether there is any objection to the submission of this letter from the standpoint of the President's program.

Sincerely,



Charles A. Briggs  
Director, Office of Legislative Liaison

STAT

Enclosure

## Distribution:

Original - Addressee (Intelligence Personnel Protection)  
1 - D/OLL  
1 - DD/OLL  
1 - OLL Chrono  
1 - LEG Subject (Intelligence Personnel Protection Act)  
1 - SWH Signer

OLL:LEG:ROD:sm (20 September 1984)

Central Intelligence Agency



Washington, D.C. 20505

*w/ indicated  
modifications, OMB  
cleaned letter  
- per Greg Jones phone  
call 9/24*

The Honorable Peter W. Rodino  
Chairman  
Committee on the Judiciary  
House of Representatives  
Washington, D.C. 20515

STAT

Dear Mr. Chairman:

I am writing to state the support of the Intelligence Community for H.R. 6272, a bill to extend the protection of federal criminal law to Intelligence Community personnel and probation pretrial services employees.

The Executive Branch and Congress have been in agreement as to the need for this legislation for some time. The Intelligence Community has sought the inclusion of its personnel within the list of protected federal officials for many years. Earlier this year, Vice Admiral E. A. Burkhalter, Jr., U.S.N., Director of the Intelligence Community Staff, restated this support in his testimony before the Subcommittee on Criminal Justice of the House Judiciary Committee. Additionally, there is a long history of Congressional consideration and support of this proposal in both the 96th and 97th Congresses. <sup>in both</sup> During this Congress, the Senate has passed similar legislation <sup>and S. 779</sup> S. 779. Finally, I want to stress that this is a provision for which the President has previously indicated his support. In commenting on an earlier bill containing this provision, the President said: "I completely support some of the features of H.R. 3963, such as the Federal Intelligence Personnel Protection Act."

This legislation is essential to ensure that Intelligence Community personnel have the same protection afforded under current law to many other employees of the Federal Government. I commend your Committee for its support of this bill and urge its enactment. <sup>PA</sup> A copy of this letter is also being sent to Representative John Conyers, Jr. *The Office of Management and Budget has advised that there is no objection to the submission of this letter from the standpoint of the Administration's program.*

William J. Casey  
Director of Central Intelligence

<b>TO :</b> D/OIL DD/OIL <i>E</i>	<b>DATE OF REQUEST</b> 19 Sept. 1984	
<b>FROM :</b> <span style="border: 1px solid black; display: inline-block; width: 150px; height: 40px; vertical-align: middle;"></span> <i>SW</i> through SWH	<b>SUSPENSE DATE</b> <div style="text-align: right;">STAT</div>	
<b>SUBJECT :</b>  Letter seeking OMB clearance for draft letter in support of H.R. 6212, a bill to extend the protection of federal criminal law to Intelligence Community personnel		
<b>NOTES</b>  A background Memorandum for the Record is attached for your information.		
<b>COORDINATED WITH (list names as well as offices)</b>		
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE
<b>ACTION REQUIRED BY</b> D/OIL <i>cor</i>  <div style="text-align: center; margin-top: 20px;">Your signature</div>		

Intell. Prot. Act

OLL 84-3562

18 September 1984

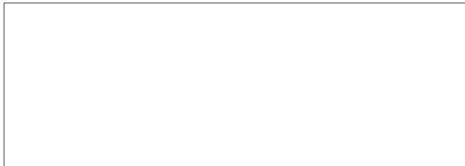
## MEMORANDUM FOR THE RECORD

SUBJECT: Mark Up of H.R. 6212, Intelligence Personnel Protection Act

1. On 12 September at 4:00 I received a telephone call from Tom Hutchison, Counsel for Criminal Justice Subcommittee of the House Judiciary Committee informing me that the Intelligence Personnel Protection Act legislation would be marked-up the next day before a Subcommittee hearing. I told Tom Hutchison that I would attend this hearing.
2. At approximately 10:30 in room B-352 RHOB, the Subcommittee met and marked-up H.R. 6212. This bill, introduced by Representative Boucher, provided the simple amendment of Title 18 to extend the protection of the assault and homicide provisions of the federal criminal code to probation officers and members of the Intelligence Community. The Subcommittee chose this simple bill as a vehicle in lieu of more comprehensive, and thus controversial, versions of this legislation pending before it.
3. During the hearing, Representative Gekas proposed an amendment to the bill to add a Constitutionally adequate death penalty to the murder provision of Title 18 (19 U.S.C. § 1111). It soon became apparent that the Republican minority on the subcommittee intended to use this noncontroversial bill as a forum to raise legislative issues upon which the Democrats had refused to hold hearings. During the course of this debate, Tom Hutchison approached me and indicated that the Republican amendment would kill the bill. He further indicated that the subcommittee would vote down the amendment, and if CIA wanted the bill to move any further we should make an appropriate show of support. As Tom indicated, the Gekas amendment was voted down along partisan lines. Following that vote, the Subcommittee did make a technical amendment, substituting "pretrial services employees" for "officer." (A copy of the marked-up bill is attached.)
4. Following the mark-up hearing, I approached Ray Smietanka and questioned him as to the degree of Republican commitment to hold H.R. 6212 hostage until progress on the death penalty legislation could begin. Ray indicated that the

Republicans only wanted to use this bill as a way of highlighting their concerns. However he indicated that it was possible that this bill could be used on the floor of the House as a way of forcing the Democrats to record a vote for or against the death penalty.

STAT



Office of Legislative Liaison

Attachment

Distribution:

Original - LEG Subject (Intelligence Personnel  
Protection Act)

1 - OLL Chrono

1 - D/OLL

1 - DD/OLL

1 - ROD Signer

OLL:LEG:ROD:sm (18 September 1984)

98TH CONGRESS  
2D SESSION

# H. R. 6212

To amend title 18 of the United States Code to extend the protections of certain assault and homicide provisions to probation officers and members of the intelligence community.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 1984

Mr. BOUCHER introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18 of the United States Code to extend the protections of certain assault and homicide provisions to probation officers and members of the intelligence community.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 1114 of title 18 of the United States Code is  
4       amended—

5               (1) by inserting “any person who is a probation  
6       *pre-trial services employee*  
      ~~officer~~ appointed under chapter 231 of this title, any  
7       member of the intelligence community,” after “penal  
8       or correctional institution,”; and

1           (2) by adding at the end the following new para-  
2       graph:

3       “As used in this section, the term ‘member of the  
4 intelligence community’ means an officer or employee of—

5           “(1) the National Security Agency;

6           “(2) the Central Intelligence Agency;

7           “(3) the Bureau of Intelligence and Research of  
8 the Department of State;

9           “(4) the office of the Director of Central Intelli-  
10       gence;

11          “(5) the Defense Intelligence Agency;

12          “(6) the intelligence elements of the Army, Navy,  
13 Air Force, and Marine Corps, the Department of the  
14 Treasury, and the Department of Energy; or

15          “(7) the offices within the Department of Defense  
16 for the collection of specialized national foreign intelli-  
17       gence through reconnaissance programs.”.

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